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FM AMEMBASSY KOROR
TO DEPT OF JUSTICE WASHINGTON DC
INFO COMNAV MARIANAS GU
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E.O. 12958: N/A

TAGS: KTIA PGOV PREL PS

SUBJECT: PALAUAN PRESIDENT JOHNSON TORIBIONG REQUESTS ASSISTANCE FROM THE DEPARTMENT OF JUSTICE

REF: KOROR 0030

¶1. On March 23, post received a letter from President Johnson Toribiong to Attorney General Eric Holder. In his letter President Toribiong requests the assistance of the Federal Bureau of Investigation in the investigation of the disappearance of a police weapon - a "mini M-14". The request is made pursuant to Section IV of the Guam Accord.

¶2. According to the letter, on or about November 17, 2008, the rifle and two magazines containing roughly 40 rounds allegedly disappeared from the trunk of a vehicle owned by former President Remengesau. The president's police security unit, which allegedly placed the weapon and ammunition in the vehicle, failed to report the loss for weeks after the incident.

¶3. In February the Bureau of Public Safety announced a 10-day grace period for the return of government property, including the missing rifle for the return of which the Bureau offered a \$5,000 reward. A week after the amnesty period expired, the Bureau raised the reward to \$10,000 and on March 20 it was raised again to \$15,000 to no effect.

¶4. President Toribiong requests FBI assistance in administering and evaluating polygraph tests to people who were responsible for the custody of the weapon or who may have knowledge about it. Palau is willing to bear the costs of FBI personnel who will assist the Office of the Special Prosecutor.

¶5. Post will pouch the original letter to the Department of Justice, and scan and email it to the Desk.

¶6. Comment: Early in its life as a republic, Palau experienced some terrible high profile acts committed with guns, in particular the assassination of one president and the suicide of another. As a result of these and other problems with firearms, Palau has a very strict gun control regime. Its constitution prohibits the ownership of firearms by private individuals and a conviction carries a minimum mandatory sentence of 15 years in prison. The only firearms related crime committed by a private citizen in Palau in the past decade was the possession of a handgun smuggled into Palau from Guam. It resulted in the astonishingly speedy arrest, conviction and imprisonment. There have been, however, a few incidents where police officers have been arrested for the improper use of their weapon. The misplacement of this rifle seems to fit into this category and represents a significant breach of security in Palau.

¶7. Comment continued: As it so happens, in response to reftel, an FBI Special Agent from the Guam office is coming to Palau to consult with the Special Prosecutor. Post will provide this Special Agent with the details of this request. End comment.

BEZNER